

EXHIBIT 1

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE

FUSION ELITE ALL STARS et al.,

Plaintiffs,
v.

VARSITY BRANDS, LLC et al.,

Defendants.

Civ. Action No. 2:20-cv-2600

THE VARSITY DEFENDANTS' INITIAL DISCLOSURES

Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, Defendants Varsity Brands, LLC, Varsity Spirit, LLC, and Varsity Spirit Fashions & Supplies, LLC (the “Varsity Defendants”) hereby submit the following initial disclosures based on information reasonably available to them at this time. The Varsity Defendants reserve the right to supplement or modify these disclosures should additional individuals or documents be identified during the course of discovery in this matter.

(i) The name, and if known, the address and telephone number of each individual likely to have discoverable information—along with the subjects of that information—that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment.

The Varsity Defendants identify the following individuals, who may be contacted only through undersigned counsel.

Individual: Bill Seely, President, Varsity Spirit, LLC.

Subjects: Varsity’s role in growing the competitive cheerleading industry to the benefit of young athletes; Varsity’s development of innovative and functional fashion for use in All Star cheerleading competitions; Varsity’s relationship with USASF; Varsity’s role in developing safety standards for competitive cheerleading; Varsity’s discounts to gyms who choose to

participate in its Family Plan or Network Agreements; competition that Varsity faces from independent event producers and apparel providers.

Individual: John Newby, Executive Vice President, Varsity Brands, LLC.

Subjects: Varsity's role in growing the competitive cheerleading industry to the benefit of young athletes; Varsity's development of innovative and functional fashion for use in All Star cheerleading competitions; Varsity's relationship with USASF; Varsity's role in developing safety standards for competitive cheerleading; Varsity's discounts to gyms who choose to participate in its Family Plan or Network Agreements; competition that Varsity faces from independent event producers and apparel providers.

Individual: Jeff Webb, Chairman, Varsity Spirit, LLC.

Subjects: Varsity's role in growing the competitive cheerleading industry to the benefit of young athletes; Varsity's development of innovative and functional fashion for use in All Star cheerleading competitions; Varsity's relationship with USASF; Varsity's role in developing safety standards for competitive cheerleading; Varsity's discounts to gyms who choose to participate in its Family Plan or Network Agreements; competition that Varsity faces from independent event producers and apparel providers.

Other Individuals:

1. Any person listed in any other party's initial disclosures.
2. Any person deposed in this matter.

(ii) A copy—or a description by category and location—of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment.

The Varsity Defendants have not identified any documents, electronically stored information, or tangible things at this time that it may use to support its claims or defenses. The Varsity Defendants anticipate that any such documents will be produced in discovery by the Varsity Defendants, another party, or a third-party. To the extent the Varsity Defendants come to identify any other such documents (*i.e.*, documents not produced in discovery), the Varsity Defendants will disclose them to Plaintiffs.

(iii) A computation of each category of damages.

The Varsity Defendants do not claim damages at this time.

(iv) Any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.

The Varsity Defendants will make available for inspection and copying relevant liability insurance policies which may satisfy any potential judgment should Plaintiffs prevail in this matter.

Dated: October 30, 2020

By: /s Matthew S. Mulqueen

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CERTIFICATE OF SERVICE

The undersigned certifies that on October 30, 2020, a copy of the foregoing document was served on the following counsel of record via email.

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